REMARKS

Claims 1-20 remain in this application.

For the sake of clarity, and to emphasize the patentable distinctions of applicant's invention over the prior art, claim 1 has been amended to recite a system for placing an advertisement on the monitor of a user of a web site and compensating the user for viewing the advertisement, whereby upon access by the user of a page containing a coded reference, the reference is caused to access its application logic set triggering display of the advertisement in a temporary and non-dismissible window on said monitor for a predetermined time period, and the system further comprises means for compensating the user for receiving and viewing the advertisement provided the user has previously registered, the compensation means comprising credits for access time, the amount of credits depending on the total number of advertisements viewed by the user.

In order to emphasize the patentable distinctions of applicant's invention over the prior art, claims 10 and 17-19 have been amended to recite a method for advertising to a user of a web site having at least one page containing a coded reference, each respective claim having the step of compensating the user for receiving and viewing the advertisement provided the user has previously registered, the compensation comprising credits for access time, the amount of credits depending on the total number of advertisements viewed by the user.

Each of the foregoing amendments is clearly supported by the original specification, at page 10, lines 16-20. Consequently, no new matter has been added.

Applicant's invention provides a system and method for placing an advertisement on the monitor of a user of a web site. Specifically, the system comprises a server connected to the Internet and at least one application logic set stored in memory on the server. The connection is a conventional wired connection as would be provided by a modem and telephone line, cable modem, T connection or the like or, alternatively, a wireless connection, such as that provided by a wireless modem, cell phone, PDA or the like. Each of the application logic sets is provided with a means for causing the browser, operating from the user's computer, to display the advertisement in a non-dismissible and temporary browser window on the monitor of the user. The means for causing the browser to display advertisement is accomplished by sending web page mark-up language code containing the advertisement. This may include HTML, Java Applets, Flash routines, or similar web page construction code. It optionally includes animation, images, and or sound. As a further option the application set includes code for a series of different advertisements. The code specifies the size and position of window as well as how long the window is viewable. The predetermined time period within which the window is viewable can vary depending on default settings, type and length of an advertisement, site owner preference and the like. Typically the predetermined time period for viewing window can range from about 10 seconds to 60 minutes, preferably from about 15 to 40 seconds, and most preferably from about 20 to 30 seconds. Optionally, the advertisement is delayed for period of time before being sent to the user. The system includes a web site that is provided with coded content, such as web page mark-up language, for viewing by the user, and a reference is coded within the mark-up language of at least one page of the web site. Web site may reside in memory on server or on another remote server connected to the Internet. The reference points the browser to one of the application logic sets.

Additionally, the system includes a registered user database on the server for storing user information and computing and storing the user's advertisement viewing history. When registered user accesses the page containing the coded reference, the user's browser is caused to access an application logic set on the server, thereby triggering display of the advertisement in a temporary and non-dismissible window on the monitor of the user. The system compensates the user for receiving and viewing the advertisement provided the user has previously registered, the compensation comprising credits for access time, the amount of credits depending on the total number of advertisements viewed by the user.

Claim 19 was rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner has indicated that for claim 19, section E, there is no antecedent basis for the "matched advertisement." In order to overcome this rejection, claim 9 has been amended by amending section D to read: "selecting an advertisement being a type appropriate for said connection speed and said computer type"; and section E has been amended to strike the word "matched" before "advertisement". In view of these amendments, it is submitted that the rejection of claim 19 under 35 USC 112, second paragraph, has been overcome.

Accordingly, reconsideration of the rejection of claim 19 under 35 USC 112, second paragraph, is respectfully requested.

Claims 1 and 5-7 were rejected under 35 USC 102(e) as being anticipated by US Patent 6,687,737 to Landsman et al.

Landsman et al. disclose a technique for implementing in a networked client-server environment, e.g., the Internet, network distributed advertising in which advertisements are downloaded from an advertising server to a browser executing at a client computer. The advertisements are subsequently displayed interstitially in response to a click-stream generated by the user to move from one web page to another.

As amended, claim 1 (and claims 2-9 and 20 dependent thereon) requires a system for placing an advertisement on the monitor of a user of a web site and compensating the user for viewing the advertisement, wherein the system further comprises means for compensating the user for receiving and viewing the advertisement provided the user has previously registered, the compensation means comprising credits for access time, the amount of credits depending on the total number of advertisements viewed by the user. It is submitted that the salient features of claim 1, as amended, are not disclosed or suggested by Landsman et al. It is thus submitted that the subject matter of claims 1 and 5-7 is novel over Landsman et al.

In particular, the Examiner has indicated at page 4 of the Office Action that Landsman et al. does not teach compensation. Therefore, applicant submits that claims 1 and 5-7, as amended, overcome any rejection based on section 102(e). In view of the amendment to claim 1 and the foregoing remarks, it is submitted that claims 1 and 5-7 are novel over Landsman et al.

Accordingly, reconsideration of the rejection of claims 1 and 5-7 under 35 USC 102(e) as being anticipated by Landsman et al. is respectfully requested.

Claims 3, 4 and 9 were rejected under 35 USC 103(a) as being unpatentable over US Patent 6,687,737 to Landsman et al.

Inasmuch as present claims 3, 4 and 9 each depend from independent claim 1, as amended, it is submitted that claims 3, 4 and 9 are patentable over Landsman et al. for the same reasons discussed hereinabove, regarding the rejection of claim 1. In particular, claim 1 has been amended to require means for compensating the user for receiving and viewing the advertisement provided the user has previously registered, the compensation means comprising credits for access time, the amount of credits depending on the total number of advertisements viewed by the user.

Accordingly, reconsideration of the rejection of claims 3, 4 and 9 under 35 USC 103(a) as being unpatentable over Landsman et al. is respectfully requested.

Claims 8 and 10-17 were rejected under 35 USC 103(a) as being unpatentable over US Patent 6,687,737 to Landsman et al. in view of US Patent 5,855,008 to Goldhaber et al.

Goldhaber et al. provides an approach for distributing advertising and other information over a computer network. The method is said to be usable to provide direct, immediate payment to a consumer for paying attention to an advertisement or other information.

As amended, claim 1 (and claim 8 dependent thereon) requires a system for placing an advertisement on the monitor of a user of a web site and compensating the user for viewing the advertisement, wherein the system further comprises means for compensating the user for receiving and viewing the advertisement provided the user has previously registered, the compensation means comprising credits for access time, the amount of credits depending on the total number of advertisements viewed by the user. It is submitted that the salient features of claim 8, as amended, are not disclosed or suggested by Landsman et al. in view of Goldhaber et al. It is thus submitted that the subject matter of claim 8 is novel over Landsman et al. in view of Goldhaber et al.

In particular, the Examiner has indicated that: (i) Goldhaber et al. teaches many embodiments whereby a registered computer user is compensated for viewing advertising [abstract]; (ii) the advertising can be targeted based on the registered user's demographics; and (iii) the compensation can be routed to the user's registered account. The Examiner therefore argues that it would have been obvious to one of ordinary skill at the time of the invention to have registered and compensated the ad-viewing users of Landsman et al's system so that users may be motivated to and may benefit from viewing online ads.

Applicant submits that claims 1-9, as amended, patentably define over Landsman et al. in view of Goldhaber et al. Although Goldhaber et al. does teach compensation to users for viewing advertisements, the form of compensation is not the same as the compensation required by present claims 1-9. Present claims 1-9 require the form of compensation to be credits for access time, whereby the amount of credits depends on the

total number of advertisements viewed by the user. On the other hand, the compensation disclosed by Goldhaber includes: (i) direct compensation from the advertisers via payment for viewing and paying attention to their advertisements; (ii) consumers can use this payment to compensate information provider via another payment for providing entertainment or other information the consumer wishes to access; and (iii) sponsorship becomes unlinked from the content of the sponsored entertainment or service, much to the benefit of the consumer. *See* Goldhaber et al., col. 12, lines 5-14. Goldhaber further offers coupons as the form of compensation. *See* Golhaber et al., col. 11, line 55. Goldhaber further offers direct payment using digital cash. *See* Goldhaber et al., col. 12, lines 36-38.

Nowhere in Goldhaber et al. is there any disclosure or suggestion of compensating the user for receiving and viewing the advertisements by providing the user with credits for (Internet) access time, wherein the credits are limited to use only towards (Internet) access time. By definition, a unit of "credit" for something represents accruing a positive balance specifically for that thing. The payment 60(a) given to consumers by Goldhaber et al. can be used for many different purposes and is not limited to being used only for (Internet) access time. Significantly, the payment 60(a) received by the consumer for viewing the advertisement is different than the payment 60(b) used for purchasing entertainment or other information the consumer wishes to access. Further, the payments 60(a) and 60(b) are in the form of cash, not credit. *See* Figs. 5 and 6 of Goldhaber et al, which depict the payment as a dollar bill. Further, the "entertainment" that is referred to by Goldhaber et al. is things such as: movies, television shows, etc. as depicted by the

portion of film at 70, which is the exact thing being purchased by the consumer. That is to say, Goldhaber et al. does not provide credit for (Internet) access time.

In summary, the system disclosed by Goldhaber et al. is as follows (i) the consumer views an advertisement; (ii) the advertiser compensates the consumer with a cash payment 60(a) being unlinked to the sponsored service provider 66 (see Fig. 6 of Goldhaber et al.); (iii) the consumer can use the cash payment 60(a) for anything she wishes; and (iv) if she wishes, the consumer may make a completely different payment 60(b) to the sponsored service provider to pay for a specific piece of entertainment (i.e. a movie). By way of comparison, present claims 1-20 call for a system as follows: (i) the consumer views an advertisement; (ii) the advertiser compensates the consumer with credits for (Internet) access time; (iii) the consumer can only use the credits for (Internet) access time; and (iv) the consumer submits the credits to their online service provider to obtain additional access time (e.g. 10 minutes of access time to the Internet). Goldhaber et al. does not disclose or suggest compensating a user for viewing advertisements, wherein the compensation is credits for (Internet) access time, which, by their very definition, can only be used for (Internet) access time. Significantly, there is no mention of credits for access time as the form of compensation in Goldhaber et al.

Further, the system called for by present claims 1-20 provide a system where the online service provider is linked to the advertisements. When a user redeems their credit for (Internet) access time, the online service provider can simply bill the advertiser for the credits used by the consumer. Because the compensation is in the form of credits for (Internet) access time, the online service provider becomes an integral player in the

system and is linked to the advertisers. By way of contrast, the orthogonal system disclosed by Fig. 6 of Goldhaber et al. embodies a system wherein the online service provider (if any) is unlinked from the advertisers, since the cash payment received by the consumers can be used for anything the consumer wishes. *See* Goldhaber et al., col. 12, lines 11-14.

As amended, claim 10 (and claim 11-16 dependent thereon) and claim 17 require a method for advertising to a user of a web site having at least one page containing a coded reference, each of these claims, respectively, having the step of compensating the user for receiving and viewing the advertisement provided the user has previously registered, the compensation comprising credits for access time, the amount of credits depending on the total number of advertisements viewed by the user. In view of the arguments submitted hereinabove, it is submitted that the salient features of claims 10-17, as amended, are not disclosed or suggested by Landsman et al. in view of Goldhaber et al. It is thus submitted that the subject matter of claims 10-17 is novel over Landsman et al. in view of Goldhaber et al.

Accordingly, reconsideration of the rejection of claims 8 and 10-17 under 35 USC 103(a) as being unpatentable over Landsman et al. in view of Goldhaber et al. is respectfully requested.

Claims 2 and 18-20 were rejected under 35 USC 103(a) as being unpatentable over US Patent 6,687,737 to Landsman et al. in view of US Patent 5,855,008 to Goldhaber et al and US Patent 5,854,897 to Radziewicz et al.

Radziewicz et al. discloses a communications marketing system, which allows a client station accessing a computer network through a Network Service provider to receive advertisements whenever the connection path between the client station and the Service Provider is idle.

As amended, claim 1 (and claims 2 and 20 dependent thereon) requires a system for placing an advertisement on the monitor of a user of a web site, wherein the system further comprises means for compensating the user for receiving and viewing the advertisement provided the user has previously registered, the compensation means comprising credits for access time, the amount of credits depending on the total number of advertisements viewed by the user. It is submitted that the salient features of claims 2 and 20, as amended, are not disclosed or suggested by Landsman et al. in view of Goldhaber et al and Radziewicz et al. It is thus submitted that the subject matter of claims 2 and 20 are novel over Landsman et al. in view of Goldhaber et al and Radziewicz et al.

As amended, claims 18 and 19, respectively, require a method for advertising to a user of a web site having at least one page containing a coded reference, each of these claims, respectively, having the step of compensating the user for receiving and viewing the advertisement provided the user has previously registered, the compensation comprising credits for access time, the amount of credits depending on the total number of advertisements viewed by the user. It is submitted that the salient features of claims 18-19, as amended, are not disclosed or suggested by Landsman et al. in view of Goldhaber et al and Radziewicz et al. It is thus submitted that the subject matter of

claims 18-19 is novel over Landsman et al. in view of Goldhaber et al and Radziewicz et al.

Reference is made to the previous arguments, hereinabove, which clearly show that Landsman et al. and Golhaber et al. do not disclose or suggest a system for placing an advertisement on the monitor of a user of a web site, wherein the system further comprises means for compensating the user for receiving and viewing the advertisement provided the user has previously registered, the compensation means comprising credits for access time, the amount of credits depending on the total number of advertisements viewed by the user. Further regarding the Radziewicz et al. reference, it is submitted that nowhere in the Radziewicz et al. reference is there any disclosure or suggestion for the same. It is submitted that the Examiner has not pointed to any specific disclosure in the Radziewicz et al. reference regarding this specific feature of claims 18-19, as amended. Instead, the Examiner relies on Radziewicz et al. merely for its disclosure regarding measuring the user's connection speed to select a particular format for the advertisements.

Accordingly, reconsideration of the rejection of claims 2 and 18-20 under 35 USC 103(a) as being unpatentable over Landsman et al. in view of Goldhaber et al. and Radziewicz et al. is respectfully requested.

CONCLUSION

In view of the amendment to the claims and the foregoing remarks, it is respectfully submitted that the present application has been placed in allowable condition. Entry of the present amendment, reconsideration of the rejections set forth in the Office Action dated December 7, 2005, and allowance of claims 1-20, as amended, are earnestly solicited.

Respectfully submitted,

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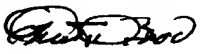

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